

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAWDA CEESAY,)	CASE NO. C07-1722-RSL-MAT
)	
Petitioner,)	
)	
v.)	ORDER DIRECTING RESPONSE TO
)	MOTION FOR PRELIMINARY
MICHAEL CHERTOFF, et al.,)	INJUNCTIVE RELIEF
)	
Respondents.)	
_____)	

Petitioner, proceeding through counsel, has filed a “Petition for Writ of Habeas Corpus and Complaint for Injunctive Relief Motion for a Temporary Restraining Order Pending Determination of the Petition for Writ of Habeas Corpus.” (Dkt. #1). Petitioner requests that he be released from detention during the pendency of these proceedings. (Dkt. #1 at 8-10).

The Court, having reviewed petitioner’s motion, and the balance of the record, does hereby
ORDER:

(1) Petitioner has not demonstrated, as is required by Rule 65(b) of the Federal Rules of Civil Procedure, that he will suffer immediate and irreparable injury, loss, or damage before respondent can be heard in opposition. The Court therefore construes petitioner's motion as one

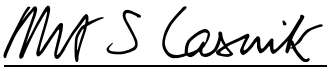
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01 for preliminary injunction rather than as one for temporary restraining order and directs respondent
02 to file a response to the motion within *fifteen (15) days* of the entry of this Order.

03 (2) The Court expresses no views at this time as to the merits of either petitioner's
04 motion or his underlying habeas petition.

05 (3) The Clerk shall direct a copy of this Order to counsel for petitioner, to the United
06 States Attorney for the Western District of Washington, and to the Hon. Mary Alice Theiler.

07 DATED this 26th day of October, 2007.

08
09 
10 Robert S. Lasnik
United States District Judge

11
12 Recommended for Entry
13 this 25th day of October, 2007.

14 s/ Mary Alice Theiler
United States Magistrate Judge